

REMARKS

Applicant has proposed amending claims 23, 29, and 32, and cancelling claims 19, 20, 22, 25, 26, 28, and 31. The proposed amendments are fully supported by the application as originally filed, and no new matter is introduced by this Amendment After Final. Upon entry of the amendments, claims 23, 29, and 32 will be pending in this application.

The Office rejected claims 31 and 32 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Office suggested that, in order to overcome the rejection, the claims should be reworded to exclude transitory media. Final Office Action at 5. Amended claim 32 recites a "non-transitory, computer-readable storage medium." Accordingly, Applicant respectfully requests the withdrawal of the rejection of claim 32 under 35 U.S.C. § 101.¹

The Office also rejected claims 22 and 28 under 35 U.S.C. § 112, second paragraph. Applicant has proposed cancelling claims 22 and 28. Accordingly, the rejection of claims 22 and 28 under 35 U.S.C. § 112 is moot.

The Office also rejected claims 19, 23, 25, 29, 31, and 32 under 35 U.S.C. § 102(b) over Yamada et al. (US 6,370,316). To anticipate a claim, a reference must disclose, either expressly or inherently, each and every element of the claim. See M.P.E.P. § 2131. Amended claim 23 recites, among other things, "a display unit which displays [a] graphical user interface, . . . wherein the graphical user interface is configured to receive user input for editing the position of [a] partial content region within . . . received content."

¹ Applicant has proposed cancelling claim 31. Accordingly, the rejection of claim 31 under 35 U.S.C. § 101 is moot.

The Office alleged that columns 7 and 8 of Yamada et al. teach “wherein the graphical user interface is configured to receive user input for editing the index information to modify the identification of the partial content region of the received content to be played back.” Final Office Action at 10. Even assuming that this is true, which Applicant does not concede, columns 7 and 8 of Yamada et al. still do not disclose “receiv[ing] user input for editing the position of [a] partial content region within . . . received content,” as recited by amended claim 23.

Instead, columns 7 and 8 of Yamada et al. merely disclose “edit[ing] [an] index in accordance with [a] user’s instructions and produc[ing] a new index.” (Col. 8, ll. 34-35.) “The user’s instructions . . . include the change of the scene number, the division of scene, the joint of scenes, the deletion of scene, and the change of representative frame.” (Col. 8, ll. 36-39.) None of these instructions constitute “user input for editing the position of [a] partial content region within . . . received content,” as recited by amended claim 23, and Yamada et al. discloses no other instructions that would constitute “user input for editing the position of [a] partial content region within . . . received content,” as recited by amended claim 23.

Therefore, Yamada et al. does not disclose “a display unit which displays [a] graphical user interface, . . . wherein the graphical user interface is configured to receive user input for editing the position of [a] partial content region within . . . received content,” as recited by amended claim 23. Thus, Yamada et al. does not disclose, either expressly or inherently, each and every element of amended claim 23. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claim 23 under 35 U.S.C. § 102(b). See M.P.E.P. § 2131. Although amended claims 29 and 32

have different scopes than amended claim 23, Applicant also respectfully requests the withdrawal of the rejection of claims 29 and 32 under 35 U.S.C. § 102(b) for at least reasons similar to the ones discussed above for amended claims 29 and 32.²

The Office also rejected claims 20 and 26 under 35 U.S.C. § 103(a) over Yamada et al., and rejected claims 22 and 28 under 35 U.S.C. § 103(a) over Yamada et al. in view of Official Notice. Applicant has proposed cancelling claims 20, 22, 26, and 28. Accordingly, the rejections of claims 20, 22, 26, and 28 under 35 U.S.C. § 103 are moot.

Applicant respectfully submits that entry of this response is proper under 37 C.F.R. § 1.116 in order to place the claims in condition for allowance, or in better form for appeal.

In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

The Final Office Action may contain statements characterizing the related art, case law, and claims. Regardless of whether any such statements are specifically identified herein, Applicant declines to automatically subscribe to any statements in the Final Office Action.

² Applicant has proposed cancelling claims 19, 25, and 31. Accordingly, the rejection of claims 19, 25, and 31 under 35 U.S.C. § 102 is moot.

Please grant any extensions of time required to enter this response and charge
any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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